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Attorneys for Petitioner
MARKELLE NEAL TAYLOR

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARKELLE NEAL TAYLOR,)
)
Petitioner,)
)
v.)
)
TOM CAREY, et al.,)
)
Respondents.)
)

No. CIV S-05-0788 MCE GGH P

**MOTION FOR SUBSTITUTION OF COUNSEL
AND REQUEST FOR EXTENSION OF TIME**

Petitioner, MARKELLE NEAL TAYLOR, hereby moves this Court for an order substituting Timothy E. Warriner, 1725 Capitol Avenue, California, 95814, telephone, (916) 443-7141, as counsel for the petitioner in the above-entitled case. The Federal Defender's Office has determined that it is currently unable to represent petitioner. Mr. Warriner has agreed to represent petitioner. He is an experienced criminal defense attorney.

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1 The August 5, 2005 appointment order in this case was not served on
2 the undersigned until September 19, 2005; accordingly, the deadline for
3 filing a joint status report has already passed. Mr. Warriner requests
4 that the court reset the joint status report so that it is due within
5 forty-five days from the date of the court's order. The undersigned has
6 contacted Jo Graves, Senior Assistant Attorney General, who graciously
7 indicated that she had no objection to this request. Mr. Warriner has
8 authorized the undersigned to sign this substitution motion and extension
9 request on his behalf.

10 Respectfully submitted,

11 QUIN DENVIR
12 Federal Defender

13 Dated: September 19, 2005 /s/ David M. Porter
14 DAVID M. PORTER
Assistant Federal Defender

15 Attorneys for Petitioner
16 MARKELLE NEAL TAYLOR

17 Dated: September 19, 2005 /s/ Timothy E. Warriner
18 Timothy E. Warriner

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20 Pursuant to this Motion for Substitution of Counsel and for the
21 reasons stated therein, IT IS HEREBY ORDERED that Timothy Warriner shall
22 be substituted in as counsel for Petitioner in place of the Office of the
23 Federal Defender for the Eastern District of California. The status
24 report shall be filed within 45-days from the date of the court's order.

25 Dated: 9/22/05

/s/ Gregory G. Hollows

26 GREGORY G. HOLLOWES
27 United States Magistrate Judge

28 tay788.sub